

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

_____)	
STEVEN C. FUSTOLO,)	Chapter 7
)	Case No. 13-12692-JNF
Debtor.)	
_____)	
)	
THE PATRIOT GROUP, LLC,)	
)	
Plaintiff,)	Adversary Proceeding
)	No. 15-01015-JNF
v.)	
)	
STEVEN C. FUSTOLO, and)	
JOHN DOES 1-10,)	
)	
Defendants.)	
_____)	

**SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF THE PATRIOT
GROUP, LLC'S MOTION FOR INJUNCTIVE RELIEF**

Within twenty-four (24) hours of this Court issuing a Notice of Non-evidentiary Hearing (Dkt. 9), a new series of defamatory postings accusing Mr. John C. Howe and Old Hill Partners Inc. (Old Hill) of being engaged in an illegal Ponzi scheme have appeared on the Internet. This recent wave of untrue postings are no doubt the handiwork of the defendants in this adversary proceeding and are but a petulant response to Plaintiff The Patriot Group, LLC's (Patriot) request for an expedited determination of its motion for injunctive relief enjoining Defendant Steven C. Fustolo and others from continuing to post defamatory articles on the Internet as a means of harassing participants in these bankruptcy proceedings. The new articles are attached hereto as **Exhibit A.**

The author of the articles continues to mock Mr. Howe and this Court with his brazen attack on Mr. Howe's character, the integrity of Old Hill, and the sanctity of these judicial proceeding. Indeed, one of the articles purports to be written by "Sarah Howe" – Mr. Howe's wife. Attorney Nickless, who represents Mr. Fustolo in the Chapter 7 proceeding, will not be representing Mr. Fustolo in this adversary proceeding. Accordingly, Mr. Fustolo engaged new counsel, Goulston & Storrs, who – like the lawyers who preceded them – have denied Mr. Fustolo's involvement in the recent rash of attack adds.

Patriot asked Mr. Fustolo's new counsel that Mr. Fustolo attend the next hearing in order to address any questions the Court may have concerning his involvement with this cyber-bullying plot, rather than shrinking behind his counsel's general disclaimer of any wrongful conduct. Mr. Fustolo's counsel declined Patriot's request. As such, Patriot requests that the Court order Mr. Fustolo to attend the injunction hearing on January 22, 2015.

Respectfully submitted,

THE PATRIOT GROUP, LLC

By its attorneys,

/s/ Gary Greenberg
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DATED: January 15, 2015

CERTIFICATE OF SERVICE

I, Gary Greenberg, hereby certify that on January 15, 2015, I caused copies of the above pleading to be served all parties of record via this court's CM/ECF system electronic mail and/or first class mail, postage prepaid upon those persons not subscribed to receive notices through the CM/ECF system.

/s/ Gary Greenberg